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May 21, 2021

**BY ECF**

The Honorable Kiyo A. Matsumoto  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
Chambers: Room S905  
Courtroom: 6C South

**Re: *Alexander Mirvis, et al. v. Berkshire Hathaway Inc. and Government Employees Insurance Company (a/k/a GEICO), No. 21 Civ. 2210 (KAM)(RLM)***

Dear Judge Matsumoto:

We represent Berkshire Hathaway Inc. in the referenced action. Pursuant to the Court's May 19 Order following the pre-motion conference of that same date, we write to confirm that Berkshire Hathaway Inc. agrees to submit an affidavit stating that Berkshire Hathaway Inc. has no contacts with the State of New York, is not an insurance company, and is not in any way involved in GEICO's day-to-day operations, including the issuance of insurance policies and data management.

It is our understanding that, upon submission of this affidavit, as well as a conforming affidavit from GEICO, Plaintiffs will voluntarily dismiss their claims against Berkshire Hathaway Inc. and the caption will be modified accordingly.

We look forward to confirmation that our understanding of this agreement is correct, whereupon Berkshire Hathaway Inc. will be prepared to submit the affidavit by May 27, 2021.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Knoerzer".

Michael Knoerzer

Copy to counsel of record (via ECF)